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Claims 1-17 are pending in the application. Applicant amends claims 1 and 11 for clarification, and refers to Fig. 5 and its corresponding description in the specification for an exemplary embodiment of and support for the claimed invention. No new matter has been added.

Applicant acknowledges with appreciation the Examiner's allowance of claims 2, 4-10, and 12-17.

Claims 1, 3, and 11 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,293,378 to Shimizu. Applicant respectfully traverses the rejection.

The Examiner contended that the packet separation described in Shimizu—and illustrated in Fig. 2 thereof—is done in a sequential order of the portions of a packet, and thus, in an arrival order. The Examiner further argued that the described separation is done independent of the destination of the packet, and that the subsequent transmission described in Shimizu is still to the destination of the packet. Applicant respectfully points out to the Examiner that the separation described in Shimizu intrinsically accounts for packet destination in that all packets are destined for and all paths lead to the same packet destination—reception buffer 2 illustrated in Fig. 1 of Shimizu. The cited portions Shimizu only include description of separation and transmission to reception buffer 2, and, therefore, do not disclose any consideration for multiple destinations for the packets. As such, the separation described in Shimizu is not independent of packet destination, as claimed.

In other words, Shimizu, as cited and relied upon by the Examiner, fails to disclose,

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"[a] packet switch device switching input packets destined for a plurality of destinations, which packets are scheduled, comprising:

a distributing unit for sequentially distributing the input packets to a plurality of paths in an arrival order, independent of destination, in units of packets;

a switch unit for switching the packets input from said distributing unit via the plurality of paths without buffers for avoiding packet confliction to the same destination, and outputting the packets in an arrival order; and

a multiplexing unit for multiplexing the packets output from said switch unit by performing a process inverse to the packet distribution process performed by said distributing unit, wherein

switching of input packets is performed by

a distribution means constituted from one or more of said distribution unit for distributing packets received at input ports in the arrival order of the packets, irrespective of destinations, to paths sequentially,

a switching means constituted from one or more of said switch unit for switching the packets to the plurality of destinations of the packets, and

a multiplexing means constituted from one or more of said multiplexing unit for multiplexing the packets according to their destinations for outputting multiplexed packets to output ports," as recited in claim 1. (Emphasis added)

Accordingly, Applicant respectfully submits that claim 1, together with claim 3 dependent therefrom, is patentable over Shimizu for at least the foregoing reasons. Claim 11 incorporates features that correspond to those of claim 1 cited above, and is, therefore, patentable over Shimizu for at least the same reasons.

The above statements on the disclosure in the cited reference represent the present opinions of the undersigned attorney. The Examiner is respectfully requested to specifically indicate those portions of the reference that provide the basis for a view contrary to any of the above-stated opinions.

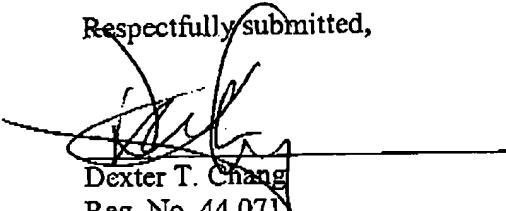
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In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

  
Dexter T. Chang  
Reg. No. 44,071

CUSTOMER NUMBER 026304  
Telephone: (212) 940-6384  
Fax: (212) 940-8986 or 8987  
Docket No.: FUJO 18.430 (100794-11668)  
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